

**REMARKS/ARGUMENTS**

In the Office Action, claims 28-48 were rejected under 35 U.S.C. §103(a) as being unpatentable over US 2003/0016698 to Chang et al. (hereinafter "Chang") in view of US 6,901,063 to Vayanos et al. (hereinafter "Vayanos"). Applicants respectfully disagree based on the following.

Chang, Figure 2, paragraph [0019], and Figures 6-8 are referred to as disclosing an RLC response to a control command from a radio resource control (RRC) and the RRC being associated with the HS-DSCH. However, Figure 2 and paragraph [0019] actually disclose that the UTRAN initiates an RLC reset based on an RRC control command. The RRC in the UTRAN tells the RLC in the UTRAN to enter a null state. The UTRAN RLC tells the UE RLC to reset (see paragraph [0019]). By contrast, in the present claims, the RRC in the UE receives an RRC message associated with an HS-DSCH cell change with an identifier. The identifier indicates that a MAC-hs is reset and each AM RLC generates a status report.

In the present claims, (1) the RRC message triggers a MAC-hs reset and not directly an RLC reset; and (2) when the MAC-hs reset occurs, the RLC generates the status reports. By contrast, Chang has the UTRAN RLC directly tell the UE RLC to reset (see paragraph [0019]).

Vayanos, column 8, lines 16-18 are referred to as disclosing, the RLC entity sending status reports. However, column 8, lines 16-18 actually discloses a UE

reporting feedback information in a designated subframe on the uplink HS-DPCCH. The feedback information reports the outcome of a decoding process of a packet received on the HS-DPSCH. More specifically, column 8, lines 16-18 actually disclose sending ACKs/NACKs by the HARQ processes. In contrast to pending claims, the ACKs/NACKs do not indicate missing AM protocol data units (PDUs). The ACKs/NACKs indicate whether the immediately preceding MAC protocol data unit was received in error.

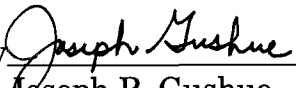
Additionally, in contrast to the pending claims, Vayanos fails to disclose the RLC entity sending a status report. Further, in Vayanos, the HARQ entity resides in the MAC-hs and does not reside in the RLC (see Figure 4B).

**Applicants:** Terry et al.  
**Application No.:** 10/616,331

Accordingly, Applicants respectfully submit that Chang and Vayanos are not combinable as set out in the office action and even if combinable, do not disclose the elements of the claims.

Respectfully submitted,

Terry et al.

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